

Protection Sensitive Entry Systems

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Defining Mixed Movements

Border Management

States have the sovereign right to choose who can enter and stay in their territory.

This right is subject to a State's international obligations, including under international refugee and human rights law.

Defining Mixed Movements

Who is involved in “mixed movements”?

- Asylum-seekers and refugees
- Victims of human trafficking or torture
- Unaccompanied and separated children
- Women and girls at risk
- Stateless persons
- People with physical and mental disabilities
- Elderly persons
- People seeking to join their families

Defining Mixed Movements

Who is involved in “mixed movements”? (continued)

- People whose movement is primarily motivated by economic concerns
- People who voluntarily express a wish to return to their country of origin (e.g., have become “stranded”)
- People seeking higher education opportunities
- People seeking medical treatment
- Others with specific needs

Defining Mixed Movements

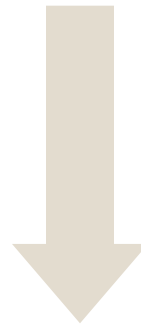
One category of persons on the move

Refugees, asylum-seekers and
others with international
protection needs

Protection Sensitive Borders

Protection Challenges

Measures by States to curb irregular migration, to control and secure their borders, and to ensure safety of journeys



Impact on refugees and others with specific needs traveling in mixed flows, and on asylum systems

Protection Sensitive Borders

Relevant legal obligations

- Non-refoulement
- Non-penalization for irregular entry
- Right to seek asylum
- Other human rights obligations - apply to all people regardless of immigration status

10-Point Plan of Action

UNHCR's 10-Point Plan of Action (2006)

1. Cooperation Among Key Partners
2. Data Collection and Analysis
3. Protection Sensitive Entry Systems
4. Reception Arrangements
5. Mechanisms for Profiling and Referral
6. Differentiated Processes and Procedures
7. Solutions for Refugees
8. Addressing Secondary Movements
9. Outcomes for non-refugees (return, migration options)
10. Information Strategy

10-Point Plan of Action

Protection Sensitive Entry Systems

- Entry officials are responsible for identifying and referring asylum-seekers and other persons who may have specific needs to the responsible authorities.
- Entry officials are not responsible for making substantive decisions on the merits of asylum claims and/or other needs.
- Key is to ensure that national referral system is functioning and effective.

10-Point Plan of Action

Reception Arrangements

- Measures to meet the immediate needs of new arrivals including basic material and psycho-social needs (accommodation, food, clothing, medical)
- Prohibition on arbitrary detention

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Profiling and Referral

Elements of Profiling

- Providing Information
- Gathering information
- Establishing a preliminary profile

Elements of Referral

- Counseling
- Referral systems
- Protecting personal data

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Differentiated Processes and Procedures

- Asylum procedures
- Child protection systems
- Family tracing
- Procedures for identifying women and girls at risk

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Differentiated Processes and Procedures (continued)

- Procedures for victims of trafficking
- Statelessness determination procedures
- Support for people with physical and mental disabilities, torture or trauma victims, elderly persons
- Voluntary return programmes

10-Point Plan of Action

Possible Outcomes

For Refugees

- Local integration
- Resettlement
- Voluntary repatriation
- Solutions based on migration frameworks

For Non-Refugees

- Stay in the destination country (regularization)
- Migration options elsewhere (family reunification, study, work)
- Return to the country of origin, preferably voluntary

10-Point Plan of Action

Positive developments or lessons learned from the 10 Point Plan

Strengthening Reception Capacity to handle migrants reach the island of Lampedusa (“Praesidium Project”) (Italy)